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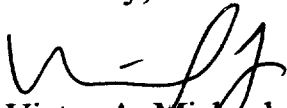
March 1, 1999

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
Room 222  
445 12th Street, S.W.  
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Thermal, California.

Sincerely,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, Wyoming 82009

307-778-9318

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ORIGINAL

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, DC 20554

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In the matter of: )

Amendment of Section 73.202 (b) )

Table of Allotments )

FM Broadcast Stations )

(Thermal, California) )

RM-\_\_\_\_\_

### **PETITION FOR RULE MAKING**

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 278A (103.5 Mhz) to Thermal, California as its first local FM allotment.

#### **INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 278A (103.5 Mhz) to Thermal, California and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 278A to Thermal will have.

#### **DISCUSSION**

2. Thermal is located in Southern California. It is also located within Riverside County, a county of some 1,170,413 persons. Thermal has a population of 800 persons in accordance with the 1999 Rand McNally Road Atlas, which is based on 1990 census data.

3. The allotment of channel 278A to Thermal will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Thermal is located at Indio, California. Indio is located 11 kilometers from Thermal. Thermal, while not incorporated, has many retail businesses as it is located just off the congested highway 111 which leads to Palm Springs, California. Thermal has also seen growth and is estimated to have a population of over 1,000 persons. It has a several businesses, a church and civic organizations.

4. Thermal would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 11 Kilometers of Thermal. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Thermal area of emergency conditions caused by severe weather or other health hazards. It is obvious from the above spacing, that Thermal is presently without local FM service.

5. Channel 278A can be allotted to Thermal and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Thermal, California	-----	278A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 278A and the pertinent adjacent channels to 278A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study ( N 33 - 38' - 42", W. 116 - 08' - 30") are that of a site located within the community of Thermal. No site restriction of will be required to allot channel 278A to Thermal. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Thermal. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Thermal would benefit from the allotment of channel 278A. It has also been shown that channel 278A can be allotted to Thermal and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 278A for Thermal, California, 73.202.

8. Should channel 278A be allotted to Thermal, I certify that I will file an application for a Construction Permit to operate an FM station for Thermal, California.

## **CERTIFICATION**

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 1, 1999

Respectfully submitted,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 278A6 (103.5 MHz), at N. 33 38 42, W. 116 8 30.

Searching Channel 278A6 (103.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Indio	CA	224	A	U	18.3	10.0	336.0°	8.3
KUUU	Indio	CA	224	A	L	18.3	10.0	336.0°	8.3
K225AE	Desert Hot Springs	CA	225	D	L	36.6	0.0	312.5°	36.6
ALC	San Diego	CA	275	B	U	136.4	69.0	229.1°	67.4
KLQV	San Diego	CA	275	B	L	136.4	69.0	229.1°	67.4
KLQV	San Diego	CA	275	B	L	128.7	69.0	215.2°	59.7
ALC	Palm Desert	CA	276	A	U	36.4	31.0	312.3°	5.4
KEZN	Palm Desert	CA	276	A	L	36.4	31.0	312.3°	5.4
KEZN	Palm Desert	CA	276	A	L	36.4	31.0	312.3°	5.4
ALC	Ensenada	BN	277	B		204.2	125.0	193.2°	79.2
ALC	Mexicali	BN	277	B		128.5	125.0	149.9°	3.5
XHENAF	Ensenada	BN	277	B		204.2	125.0	193.2°	79.2
XHVGFM	Mexicali	BN	277	B		128.5	125.0	149.9°	3.5
ALC	Temecula	CA	277	A	V	94.9	72.0	259.8°	22.9
NEW	Temecula	CA	277	A	A	91.1	72.0	264.5°	19.1
NEW	Temecula	CA	277	A	A	93.1	72.0	258.6°	21.1
NEW	Temecula	CA	277	A	A	95.9	72.0	260.0°	23.9
NEW	Temecula	CA	277	A	A	95.9	72.0	261.7°	23.9
NEW	Temecula	CA	277	A	A	95.9	72.0	262.0°	23.9
NEW	Temecula	CA	277	A	A	95.1	72.0	258.8°	23.1
NEW	Temecula	CA	277	A	A	91.1	72.0	264.2°	19.1
NEW	Temecula	CA	277	A	A	94.9	72.0	258.0°	22.9
NEW	Temecula	CA	277	A	A	94.9	72.0	258.0°	22.9
NEW	Temecula	CA	277	A	A	98.4	72.0	259.3°	26.4
NEW	Temecula	CA	277	A	A	98.4	72.0	259.3°	26.4
NEW	Temecula	CA	277	A	A	98.4	72.0	259.3°	26.4
NEW	Temecula	CA	277	A	A	98.3	72.0	259.3°	26.3
NEW	Temecula	CA	277	A	A	98.4	72.0	259.3°	26.4
NEW	Temecula	CA	277	A	A	98.3	72.0	259.3°	26.3
NEW	Temecula	CA	277	A	A	93.6	72.0	256.5°	21.6
ALC	Los Angeles	CA	278	B	U	189.2	178.0	289.9°	11.2
KOST	Los Angeles	CA	278	B	L	189.1	178.0	289.9°	11.1
KOST	Los Angeles	CA	278	B	L	189.1	178.0	289.9°	11.1
ALC	Las Vegas	NV	278	C	U	294.7	226.0	18.0°	68.7
KISF	Las Vegas	NV	278	C	L	282.0	226.0	21.6°	56.0
ALC	San Diego	CA	279	B	U	136.5	113.0	229.1°	23.5
ALC	Newberry Springs	CA	279	A	U	140.5	72.0	339.1°	68.5
KPLN	San Diego	CA	279	B	L	136.5	113.0	229.1°	23.5
ALC	Essex	CA	280	B	V	146.5	69.0	34.3°	77.5
K280CV	Cathedral City	CA	280	D	C	36.5	0.0	313.2°	36.5
K280CV	Cathedral City	CA	280	D	L	36.5	0.0	313.2°	36.5
ALC	Mexicali	BN	281	C		135.8	95.0	151.4°	40.8
XHBAFM	Mexicali	BN	281	C		135.8	95.0	151.4°	40.8

FIGURE 1  
THERMAL, CALIFORNIA  
MOUNTAIN WEST BROADCASTING